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Remarks

This Amendment is responsive to the Office Action of February 23, 2006. Original claims 3-6 and 8 as well as new claim 9 are present for consideration.

Claim 8 has been amended to refer to "channels" which is the term used in original claim 1 and present in claim 9.

There are no issues of patentability with respect to any dependent claim. If the sole independent claim is not patentable, then the remaining claims will not be deemed to be patentable.

Claim 9 is presented simply to put claim 2 in independent form and to overcome some of the deficiencies in the language which were pointed out in the most recent Office Action. The subject matter is a plurality of equal conduits impinging in a perpendicular fashion on a surface.

In the first Office Action, claim 2 is not mentioned at all except by inclusion in "claims 1-3". In response to the first Office Action, the subject matter of claim 2 was pointed out: "With respect to claim 2, Pinto drives the flow against the surface prior to entering the channels, whereas claim 2 requires that the exits of the channels drive the fuel against the surface." In response to this, the second Office Action indicated that "As noted in the rejection, the phrase has been considered, but is not given patentable weight." Thus, even though the deficiencies with respect to claim 2 are mentioned in the response to arguments, it is clear that they were material in maintaining the rejection of claim 2.

The deficiencies with regard to claim 2 as set forth on page 5 of the Office Action were not brought forth in the first Office Action; this is the first time that the applicants have had an opportunity to respond to the allegations of deficiency. The response is claim 9, which is deemed to overcome those deficiencies. The subject matter, however, is the same. Some of the wording of claim 9 differs from that of claims 1 and 2 in order to provide correspondence with the specification.

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The issue which is believed now presented is that, as stated in the prior Office Action, Pinto flows against a surface and then distributes, whereas original claim 2 and claim 9 call for equal distribution followed by flowing against a surface, now expressed as different parts of the surface.

Since the applicants were not able to respond to the Examiner's interpretation of claim 2 prior to this point in the prosecution, withdrawal of the final rejection, entry of the present amendment, and allowance of claim 9, as well as claims 3-6 and 8 which depend therefrom, is respectfully requested.

Should any part of the foregoing not be persuasive, a phone interview is sincerely requested.

Respectfully submitted,



M. P. Williams

Attorney of Record

Voice: 860-649-0305

Fax: 860-649-1385

Email: [mw@melpat.com](mailto:mw@melpat.com)

210 Main Street  
Manchester, CT 06042

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